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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. CR11-159-RAJ

10 Plaintiff,

11 v.

DETENTION ORDER

12 SANTOS SEGUNDO GERARDO,

13 Defendant.  
14

15 Offenses charged:

16 Count 1: Conspiracy to Distribute a Controlled Substance, in violation of 21  
17 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846

18 Count 2: Conspiracy to Import Controlled Substances, in violation of 21 U.S.C.  
19 §§ 952(a), 960(a)(1), 960(b)(1), and 963

20 Count 3: Conspiracy to Engage in Money Laundering, in violation of 18 U.S.C.  
21 §§ 1956 and 1957

22 Date of Detention Hearing: July 13, 2011

23 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
24 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:  
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1                    FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 2                    1.        Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
- 3                                defendant is a flight risk and a danger to the community based on the nature of
- 4                                the pending charges. Application of the presumption is appropriate in this case.
- 5                    2.        Defendant has stipulated to detention, but reserves the right to contest his
- 6                                continued detention if there is a change in circumstances.
- 7                    3.        An immigration detainer has been placed on defendant by the United States
- 8                                Immigration and Customs Enforcement.
- 9                    4.        There are no conditions or combination of conditions other than detention that
- 10                                will reasonably assure the appearance of defendant as required or ensure the
- 11                                safety of the community.

12                    IT IS THEREFORE ORDERED:

- 13                    (1)       Defendant shall be detained and shall be committed to the custody of the
- 14                                Attorney General for confinement in a correction facility separate, to the extent
- 15                                practicable, from persons awaiting or serving sentences or being held in custody
- 16                                pending appeal;
- 17                    (2)       Defendant shall be afforded reasonable opportunity for private consultation with
- 18                                counsel;
- 19                    (3)       On order of a court of the United States or on request of an attorney for the
- 20                                government, the person in charge of the corrections facility in which defendant
- 21                                is confined shall deliver the defendant to a United States Marshal for the
- 22                                purpose of an appearance in connection with a court proceeding; and

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DETENTION ORDER

18 U.S.C. § 3142(i)

Page 2

1           (4)     The Clerk shall direct copies of this Order to counsel for the United States, to  
2                     counsel for the defendant, to the United States Marshal, and to the United States  
3                     Pretrial Services Officer.

4           DATED this 13th day of July, 2011.

5                                     *James P. Donohue*  
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7                     JAMES P. DONOHUE  
8                     United States Magistrate Judge  
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